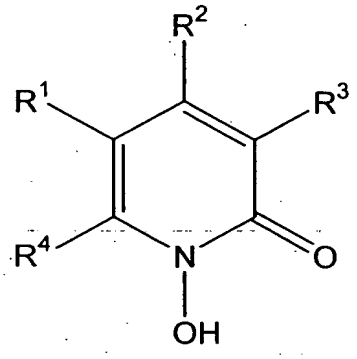
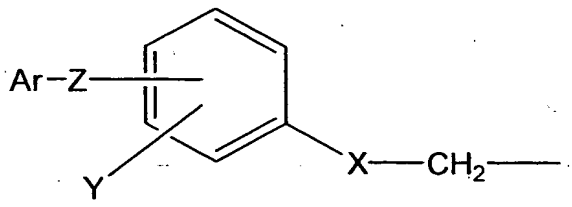
38. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis comprising administering to the patient an amount effective for the treatment of seborrheic dermatitis of at least one 1-hydroxy-2-pyridone of formula I, wherein the at least one 1-hydroxy-2-pyridone is present in free form or as a pharmaceutically acceptable salt:



(I)

where R^1, R^2, and R^3, which are identical or different, are H or alkyl having 1 to 4 carbon atoms, and R^4 is a saturated hydrocarbon radical having 6 to 9 carbon atoms or a radical of formula II:



(II)

where:

X is S or O;

Y is H, or 1 or 2 identical halogen atoms, or a mixture of 2 different halogen atoms;

Z is a single bond, or

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a linking radical comprising

(1) O, or

(2) S, or

(3) $-CR_2-$, where R is H or (C_1-C_4)-alkyl, or

(4) from 2 to 10 carbon atoms linked in the form of a straight or branched chain, which optionally further comprises one or more of the following:

(i) a carbon-carbon double bond, and

(ii) O, S, or a mixture thereof, wherein if 2 or more O or S atoms or a mixture thereof are present, each O or S atom is separated by at least 2 carbon atoms; and,

in any of the foregoing linking radicals, any remaining free valences of the carbon atoms of said linking radical are saturated by H, (C_1-C_4)-alkyl, or a mixture thereof;

and

Ar is an aromatic ring system having one or two rings, the aromatic ring system being unsubstituted or substituted by one, two, or three radicals, which are identical or different, and are chosen from halogen, methoxy, (C_1-C_4)-alkyl, trifluoromethyl, and trifluoromethoxy,

wherein the at least one 1-hydroxy-2-pyridone of formula I is administered to the patient in a pharmaceutical composition, the pharmaceutical composition further comprising at least one surfactant chosen from anionic surfactants, cationic surfactants, nonionic surfactants, and amphoteric surfactants.

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39. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim 38 in which the at least one 1-hydroxy-2-pyridone of formula I comprises Ar as a bicyclic system derived from biphenyl, diphenylalkane, or diphenyl ether.

40. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim 38 in which the at least one 1-hydroxy-2-pyridone of formula I comprises a cyclohexyl radical in the R^4 position.

41. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim 38 in which the at least one 1-hydroxy-2-pyridone of formula I comprises an octyl radical of the formula $-CH_2-CH(CH_3)-CH_2-C(CH_3)_3$ in the R^4 position.

42. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim 38 in which the pharmaceutical composition comprises 1-hydroxy-4-methyl-6-(4-(4-chlorophenoxy)phenoxymethyl)-2(1H)pyridone, 1-hydroxy-4-methyl-6-cyclohexyl-2(1H)pyridone, or 1-hydroxy-4-methyl-6-(2,4,4-trimethylpentyl)-2(1H)pyridone, or a pharmaceutically acceptable salt of any of the foregoing, or a mixture of any of the foregoing.

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48. (Twice Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis as claimed in claim 38 in which the pharmaceutical composition further comprises at least one additional surfactant chosen from anionic, cationic, nonionic, and amphoteric surfactants.

REMARKS

I. Status of the Claims

Claims 38-42 and 48-49 are pending. Claims 38-42 and 48 have been amended without prejudice to pursuing canceled or deleted subject matter in a continuation application, without disclaimer of any subject matter, and without acquiescence to any rejection, objection, or requirement of record in this application. Support for these amendments can be found throughout the application as originally filed.

The proviso added by the Amendment filed April 4, 2001, has been deleted from claim 38. Compounds and salts thereof excluded by the proviso have been returned to claim 42. Applicants respectfully assert that deleting the proviso of claim 38 poses no problems for entry, examination, or allowance. The proviso was previously added without prejudice to pursuing canceled subject matter in a continuation application, and without disclaimer of any subject matter. See Amendment filed April 4, 2001, at pages 1 and 5. Moreover, the subject matter has already been examined. See, for example, the Office Action dated December 5, 2000. Applicants did not rely on the proviso to overcome any rejections. See Amendment dated April 4, 2001, at pages 6-10. For these reasons, the Examiner did not explicitly rely on the proviso to find the claims patentable, and Applicants should not be deemed to be estopped from returning the subject matter of the proviso to the claims.

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